

Message

From: Wildeman, Anna [wildeman.anna@epa.gov]
Sent: 1/23/2020 10:34:26 PM
To: Block, Molly [block.molly@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]
CC: Jackson, Ryan [jackson.ryan@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Abboud, Michael [abboud.michael@epa.gov]; Johnson, Taylor [Johnson.Taylor.C@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Block, Molly <block.molly@epa.gov>
Sent: Thursday, January 23, 2020 5:34 PM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: RE: DRAFT Release on Mapping

How about **Ex. 5 Deliberative Process (DP)**

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 5:32 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 5:23 PM, Block, Molly <block.molly@epa.gov> wrote:

See below/attached.

Correcting the Record: News Outlets Erroneously Claim EPA and Army Jeopardize Wetlands & Streams Protection

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Block, Molly [block.molly@epa.gov]
Sent: 1/24/2020 12:38:34 AM
To: Jackson, Ryan [jackson.ryan@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Johnson, Taylor [Johnson.Taylor.C@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]
Subject: FW: Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection

It's out!

From: EPA Press Office <press@epa.gov>
Sent: Thursday, January 23, 2020 7:34 PM
To: Block, Molly <block.molly@epa.gov>
Subject: Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM



Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection

WASHINGTON (Jan. 23, 2020) — According to multiple media reports, the Navigable Waters Protection Rule, which delivers a new, clear definition for “waters of the United States,” issued today by the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) erodes protection for “millions of miles of streams” and wetlands. While this conveniently fits the narrative they are trying to push, it runs contrary to the facts. There’s even a [fact sheet](#) easily and publicly accessible online spelling this out.

In the meantime, here’s what people are actually saying about the rule:

<https://www.epa.gov/newsreleases/what-they-are-saying-epa-and-army-deliver-president-trumps-promise-issue-navigable>

As both EPA and Army have belabored in press releases and press calls: “[T]here are no data or tools that can accurately map or quantify the scope of “waters of the United States.” This is the case today, and it was the case in 2014 when the Obama Administration issued its blog titled ‘Mapping the Truth.’ Therefore, any assertions attempting to quantify changes in the scope of waters based on these data sets are far

too inaccurate and speculative to be meaningful. While this Administration agrees that the current data and tools are insufficient, we are committed to supporting the development and improvement of the technology needed to map the nation's aquatic resources."

As discussed on a press call today, a senior EPA official stressed this point again. Here's an example of why the maps that people seem to think show the clear status of jurisdictional waters in this country cannot be used. The National Hydrography Dataset, that the U.S. Geological Survey over at the U.S. Department of the Interior uses, it's a nice tool. It has fairly high resolution and can show surface water features. The challenge is that for most parts of the country that map does not tell the difference between ephemeral and intermittent waters, other than in very limited portions of the country. Our rule depends on the difference between intermittent and ephemeral waters, but that tool does not see the difference and does not map the difference. Similarly, the National Wetlands Inventory, which is the other major tool that people have been using, does not map wetlands that match the 'wetlands' definition under any prior version of the [WOTUS] rule. And it also has what are called errors of omission and commission. In other words, it *doesn't map* wetlands that *are there*, and it *maps* wetlands that are *no longer there*. Most importantly, it doesn't map the jurisdictional waters. If you use those tools together, each one has errors, and so if you use them together to try to overlay the wetlands and the flowing waters, you effectively have what's called propagation of error. It's an inherently unreliable system, and so we do not use it.

Let's take a look at some of the offenders:

Politico: "The Trump administration Thursday signed its long-promised regulation to remove millions of miles of streams and roughly half the country's wetlands from federal protection, the largest rollback of the Clean Water Act since the modern law was passed in 1972... Half the country's wetlands could lose protection... The new rule lifts federal protections for roughly half of the country's wetlands, according to the agency's own internal estimates."

E&E News: "A final rule unveiled by the Trump administration today eliminates Clean Water Act protections for the majority of the nation's wetlands and more than 18% of streams."

Los Angeles Times: "Federal data suggest 81% of streams in the Southwest would lose long-held protections, including tributaries to major waterways that millions of people rely on for drinking water."

The Guardian: "About 60% of streams in the US are dry for part of the year but then connect to large rivers following rainfall. Wetlands not situated next to large rivers will also be excluded from protections. People living in the western US are set to be particularly affected by the new rule, with ephemeral streams making up around 89% of Nevada's stream miles and 94% of Arizona's, for example."

Background

The *Navigable Waters Protection Rule* ends decades of uncertainty over where federal jurisdiction begins and ends. For the first time, EPA and the Army are recognizing the difference between federally protected wetlands and state protected wetlands. It adheres to the statutory limits of the agencies' authority. It also ensures that America's water protections - among the best in the world - remain strong, while giving our states and tribes the certainty to manage their waters in ways that best protect their natural resources and local economies.

The revised definition identifies four clear categories of waters that are federally regulated under the Clean Water Act: the territorial seas and traditional navigable waters, like the Atlantic Ocean and the Mississippi River; perennial and intermittent tributaries, such as College Creek, which flows to the James River near Williamsburg, Virginia; certain lakes, ponds, and impoundments, such as Children's Lake in Boiling Springs, Pennsylvania; and wetlands that are adjacent to jurisdictional waters.

These four categories protect the nation's navigable waters and the core tributary systems that flow into those waters.

This final action also details what waters are not subject to federal control, including features that only contain water in direct response to rainfall; groundwater; many ditches, including most farm and roadside ditches; prior converted cropland; farm and stock watering ponds; and waste treatment systems.

To learn more, please visit: <https://www.epa.gov/newsreleases/epa-and-army-deliver-president-trumps-promise-issue-navigable-waters-protection-rule-0>

Visit The EPA's Newsroom



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



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Message

From: Block, Molly [block.molly@epa.gov]
Sent: 1/24/2020 12:28:06 AM
To: Jackson, Ryan [jackson.ryan@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Wildeman, Anna [wildeman.anna@epa.gov]; Ross, David P [ross.davidp@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Johnson, Taylor [Johnson.Taylor.C@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Jackson, Ryan <jackson.ryan@epa.gov>
Sent: Thursday, January 23, 2020 7:27 PM
To: Block, Molly <block.molly@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Ross, David P <ross.davidp@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Forsgren, Lee <Forsgren.Lee@epa.gov>
Sent: Thursday, January 23, 2020 5:31 PM
To: Block, Molly <block.molly@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
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Molly,

Ex. 5 Deliberative Process (DP)

Lee

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To: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>

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Subject: DRAFT Release on Mapping

See below/attached.

Correcting the Record: Fake News Erroneously Claims EPA and Army Jeopardize Wetlands & Streams Protection

Ex. 5 Deliberative Process (DP)

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Message

From: Block, Molly [block.molly@epa.gov]
Sent: 1/24/2020 12:25:23 AM
To: Jackson, Ryan [jackson.ryan@epa.gov]; Forsgren, Lee [Forsgren.Lee@epa.gov]; Wildeman, Anna [wildeman.anna@epa.gov]
CC: Abboud, Michael [abboud.michael@epa.gov]; Johnson, Taylor [Johnson.Taylor.C@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]; Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Jackson, Ryan <jackson.ryan@epa.gov>
Sent: Thursday, January 23, 2020 7:25 PM
To: Forsgren, Lee <Forsgren.Lee@epa.gov>; Block, Molly <block.molly@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: RE: DRAFT Release on Mapping

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Cc: Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: RE: DRAFT Release on Mapping

Molly,

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From: Block, Molly <block.molly@epa.gov>
Sent: Thursday, January 23, 2020 5:23 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>
Cc: Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica

<mcfaul.jessica@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>; Woods, Andrea
<Woods.Andrea@epa.gov>

Subject: DRAFT Release on Mapping

See below/attached.

Correcting the Record: Fake News Erroneously Claims EPA and Army Jeopardize Wetlands & Streams Protection

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Hackel, Angela [Hackel.Angela@epa.gov]
Sent: 1/24/2020 7:52:18 PM
To: Rachel Frazin [rfrazin@thehill.com]; Press [Press@epa.gov]
Subject: RE: Water rule and water mapping

Hi Rachel,

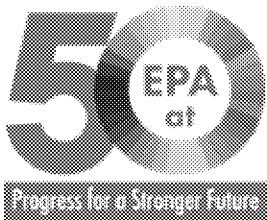
In response to your inquiry below, please see the following press release:

<https://www.epa.gov/newsreleases/correcting-record-media-erroneously-claims-epa-and-army-jeopardize-wetlands-stream>.

Thanks,

Angela

Angela Hackel
Senior Advisor
Office of the Administrator
Office of Public Affairs
U.S. Environmental Protection Agency
Washington, DC 20460
Office: 202.566.2977
Cell: Ex. 6 Personal Privacy (PP)



From: Rachel Frazin <rfrazin@thehill.com>
Sent: Friday, January 24, 2020 2:42 PM
To: Press <Press@epa.gov>
Subject: Water rule and water mapping

Hi all,

I'm writing about the new water rule announced yesterday and I was wondering if the EPA has information on how much water and wetlands will be impacted?

If so, how is this calculated?

I'm also seeing criticism of Administrator Wheeler's comment that "there are no data or tools that can accurately map or quantify the scope of Waters of the United States for the agency's regulatory purposes."

Critics have particularly questioned how a rule can be put forth without knowing the scope of its impact.

Would you like to respond to this criticism or clarify any aspects of the data or process used to develop the rule?

I'm hoping to put up a story by the end of the day, and would appreciate a quick reply.

Thanks!

Rachel Frazin

Energy and Environment Reporter, The Hill

Ex. 6 Personal Privacy (PP)

Message

From: Block, Molly [block.molly@epa.gov]
Sent: 1/24/2020 3:02:34 PM
To: Hackel, Angela [Hackel.Angela@epa.gov]; Press [Press@epa.gov]
Subject: RE: Please forward release

Ex. 5 Deliberative Process (DP)

From: Hackel, Angela <Hackel.Angela@epa.gov>
Sent: Friday, January 24, 2020 10:01 AM
To: Press <Press@epa.gov>
Subject: FW: Please forward release

Hi,

Ex. 5 Deliberative Process (DP)

Thanks,

Angela

From: msoraghan@eenews.net <msoraghan@eenews.net>
Sent: Thursday, January 23, 2020 8:03 PM
To: Press <Press@epa.gov>
Subject: Please forward release

Please forward me the "Correcting the record" email/release with the content that is in the attachment. And please put me on the distribution list that it went to.

Thank you,

Mike Soraghan
E&E News reporter
msoraghan@eenews.net
Ex. 6 Personal Privacy (PP) (office and mobile)
[@MikeSoraghan](#)

E&E NEWS

www.eenews.net | [@EENewsUpdates](#)

Energywire, Climatewire, Greenwire, E&E Daily, E&E News PM

Message

From: Abboud, Michael [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=B6F5AF791A1842F1ADCC088CBF9ED3CE-ABBOUD, MIC]
Sent: 1/23/2020 5:55:23 PM
To: Forsgren, Lee [Forsgren.Lee@epa.gov]; Ross, David P [ross.davidp@epa.gov]; McDonough, Owen [mcdonough.owen@epa.gov]; Dennis, Allison [Dennis.Allison@epa.gov]; Wildeman, Anna [wildeman.anna@epa.gov]
CC: Schiermeyer, Corry [schiermeyer.corry@epa.gov]; Block, Molly [block.molly@epa.gov]; Woods, Andrea [Woods.Andrea@epa.gov]; Johnson, Taylor [Johnson.Taylor.C@epa.gov]; McFaul, Jessica [mcfaul.jessica@epa.gov]
Subject: Tweet by Ariel Wittenberg on Twitter



Ariel Wittenberg (@ArielWittenberg)

1/23/20, 9:53 AM

Now we have a "sr admin official" saying USGS and FWS data isn't accurate because it doesn't distinguish between ephemeral and intermittent waters. That's true in many cases, but it does map 18% as ephemeral. The problem with the data is that it's an UNDER estimate.

[Download](#) the Twitter app

Sent from my iPhone

Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 1/24/2020 12:35:50 AM
To: (b) (6) Administrator's Email
Subject: FW: Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection

From: EPA Press Office <press@epa.gov>
Sent: Thursday, January 23, 2020 7:34 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Subject: Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection



U.S. ENVIRONMENTAL PROTECTION AGENCY
NEWS RELEASE
WWW.EPA.GOV/NEWSROOM



Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection

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As both EPA and Army have belabored in press releases and press calls: “[T]here are no data or tools that can accurately map or quantify the scope of “waters of the United States.” This is the case today, and it was the case in 2014 when the Obama Administration issued its blog titled ‘Mapping the Truth.’ Therefore, any assertions attempting to quantify changes in the scope of waters based on these data sets are far too inaccurate and speculative to be meaningful. While this Administration agrees that the current data and tools are insufficient, we are committed to supporting the

development and improvement of the technology needed to map the nation's aquatic resources."

As discussed on a press call today, a senior EPA official stressed this point again. Here's an example of why the maps that people seem to think show the clear status of jurisdictional waters in this country cannot be used. The National Hydrography Dataset, that the U.S. Geological Survey over at the U.S. Department of the Interior uses, it's a nice tool. It has fairly high resolution and can show surface water features. The challenge is that for most parts of the country that map does not tell the difference between ephemeral and intermittent waters, other than in very limited portions of the country. Our rule depends on the difference between intermittent and ephemeral waters, but that tool does not see the difference and does not map the difference. Similarly, the National Wetlands Inventory, which is the other major tool that people have been using, does not map wetlands that match the 'wetlands' definition under any prior version of the [WOTUS] rule. And it also has what are called errors of omission and commission. In other words, it *doesn't map* wetlands that *are there*, and it *maps* wetlands that are *no longer there*. Most importantly, it doesn't map the jurisdictional waters. If you use those tools together, each one has errors, and so if you use them together to try to overlay the wetlands and the flowing waters, you effectively have what's called propagation of error. It's an inherently unreliable system, and so we do not use it.

Let's take a look at some of the offenders:

Politico: "The Trump administration Thursday signed its long-promised regulation to remove millions of miles of streams and roughly half the country's wetlands from federal protection, the largest rollback of the Clean Water Act since the modern law was passed in 1972... Half the country's wetlands could lose protection... The new rule lifts federal protections for roughly half of the country's wetlands, according to the agency's own internal estimates."

E&E News: "A final rule unveiled by the Trump administration today eliminates Clean Water Act protections for the majority of the nation's wetlands and more than 18% of streams."

Los Angeles Times: "Federal data suggest 81% of streams in the Southwest would lose long-held protections, including tributaries to major waterways that millions of people rely on for drinking water."

The Guardian: "About 60% of streams in the US are dry for part of the year but then connect to large rivers following rainfall. Wetlands not situated next to large rivers will also be excluded from protections. People living in the western US are set to be particularly affected by the new rule, with ephemeral streams making up around 89% of Nevada's stream miles and 94% of Arizona's, for example."

Background

The *Navigable Waters Protection Rule* ends decades of uncertainty over where federal jurisdiction begins and ends. For the first time, EPA and the Army are recognizing the difference between federally protected wetlands and state protected wetlands. It adheres to the statutory limits of the agencies' authority. It also ensures that America's water protections - among the best in the world - remain strong, while giving our states and tribes the certainty to manage their waters in ways that best protect their natural resources and local economies.

The revised definition identifies four clear categories of waters that are federally regulated under the Clean Water Act: the territorial seas and traditional navigable waters, like the Atlantic Ocean and the Mississippi River; perennial and intermittent tributaries, such as College Creek, which flows to the James River near Williamsburg, Virginia; certain lakes, ponds, and impoundments, such as Children's Lake in Boiling Springs, Pennsylvania; and wetlands that are adjacent to jurisdictional waters.

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U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



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Message

From: Jackson, Ryan [jackson.ryan@epa.gov]
Sent: 1/24/2020 12:35:59 AM
To: Schiermeyer, Corry [schiermeyer.corry@epa.gov]
CC: Block, Molly [block.molly@epa.gov]
Subject: RE: DRAFT Release on Mapping

Thanks very much.

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 7:30 PM
To: Jackson, Ryan <jackson.ryan@epa.gov>
Cc: Block, Molly <block.molly@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 7:29 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 7:23 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Wildeman, Anna <wildeman.anna@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 7:21 PM, Block, Molly <block.molly@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 7:10 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Wildeman, Anna <wildeman.anna@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Yes

Sent from my iPhone

On Jan 23, 2020, at 6:52 PM, Block, Molly <block.molly@epa.gov> wrote:

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From: Block, Molly
Sent: Thursday, January 23, 2020 6:52 PM
To: Wildeman, Anna <wildeman.anna@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Wildeman, Anna <wildeman.anna@epa.gov>
Sent: Thursday, January 23, 2020 6:16 PM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Cc: Block, Molly <block.molly@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
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Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry
<schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 5:34 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 5:33 PM, Block, Molly <block.molly@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry
<schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 5:32 PM
To: Block, Molly
<block.molly@epa.gov>
Cc: Jackson, Ryan
<jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>;

Abboud, Michael
<abboud.michael@epa.gov>; Johnson,
Taylor <Johnson.Taylor.C@epa.gov>;
McFaul, Jessica
<mcfaul.jessica@epa.gov>; Woods,
Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 5:23
PM, Block, Molly
<block.molly@epa.gov>
wrote:

Ex. 5 Deliberative Process (DP)

XXXXXXXXXXXX

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 1/24/2020 12:24:45 AM
To: Schiermeyer, Corry [schiermeyer.corry@epa.gov]
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 7:23 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Wildeman, Anna <wildeman.anna@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 7:21 PM, Block, Molly <block.molly@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 7:10 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Wildeman, Anna <wildeman.anna@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Yes

Sent from my iPhone

On Jan 23, 2020, at 6:52 PM, Block, Molly <block.molly@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

From: Block, Molly
Sent: Thursday, January 23, 2020 6:52 PM
To: Wildeman, Anna <wildeman.anna@epa.gov>; Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Wildeman, Anna <wildeman.anna@epa.gov>
Sent: Thursday, January 23, 2020 6:16 PM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Cc: Block, Molly <block.molly@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 6:13 PM
To: Wildeman, Anna <wildeman.anna@epa.gov>
Cc: Block, Molly <block.molly@epa.gov>; Jackson, Ryan <jackson.ryan@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 6:02 PM, Wildeman, Anna
<wildeman.anna@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 5:34 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 5:33 PM, Block, Molly
<block.molly@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry
<schiermeyer.corry@epa.gov>
Sent: Thursday, January 23, 2020 5:32 PM
To: Block, Molly <block.molly@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee <Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>; McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 5:23 PM, Block, Molly <block.molly@epa.gov> wrote:

See below/attached.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Block, Molly [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=60D0C681A16441A0B4FA16AA2DD4B9C5-BLOCK, MOLL]
Sent: 1/23/2020 10:40:28 PM
To: Wildeman, Anna [wildeman.anna@epa.gov]
Subject: RE: DRAFT Release on Mapping
Attachments: 8992935.docx

Ex. 5 Deliberative Process (DP)

From: Wildeman, Anna <wildeman.anna@epa.gov>
Sent: Thursday, January 23, 2020 5:37 PM
To: Block, Molly <block.molly@epa.gov>
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Block, Molly <block.molly@epa.gov>
Sent: Thursday, January 23, 2020 5:34 PM
To: Schiermeyer, Corry <schiermeyer.corry@epa.gov>
Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee

<Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>;
McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>
Subject: RE: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

From: Schiermeyer, Corry <schiermeyer.corry@epa.gov>

Sent: Thursday, January 23, 2020 5:32 PM

To: Block, Molly <block.molly@epa.gov>

Cc: Jackson, Ryan <jackson.ryan@epa.gov>; Wildeman, Anna <wildeman.anna@epa.gov>; Forsgren, Lee
<Forsgren.Lee@epa.gov>; Abboud, Michael <abboud.michael@epa.gov>; Johnson, Taylor <Johnson.Taylor.C@epa.gov>;
McFaul, Jessica <mcfaul.jessica@epa.gov>; Woods, Andrea <Woods.Andrea@epa.gov>

Subject: Re: DRAFT Release on Mapping

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

On Jan 23, 2020, at 5:23 PM, Block, Molly <block.molly@epa.gov> wrote:

See below/attached.

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Ex. 5 Deliberative Process (DP)

Message

From: Ross, David P [ross.davidp@epa.gov]
Sent: 1/24/2020 2:50:18 AM
To: Jackson, Ryan [jackson.ryan@epa.gov]
Subject: Re: Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection

Ex. 6 Personal Privacy (PP)

Sent from my iPhone

On Jan 23, 2020, at 8:20 PM, Jackson, Ryan <jackson.ryan@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Ryan Jackson
Chief of Staff
U.S. EPA

Ex. 6 Personal Privacy (PP)

On Jan 23, 2020, at 8:21 PM, Ross, David P <ross.davidp@epa.gov> wrote:

Ex. 5 Deliberative Process (DP)

Sent from my iPhone

Begin forwarded message:

From: EPA Press Office <press@epa.gov>
Date: January 23, 2020 at 6:34:29 PM CST
To: "Ross, David P" <ross.davidp@epa.gov>
Subject: Correcting the Record: Media Erroneously Claims
EPA and Army Jeopardize Wetlands & Stream Protection
Reply-To: press@epa.gov



Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection

WASHINGTON (Jan. 23, 2020) — According to multiple media reports, the Navigable Waters Protection Rule, which delivers a new, clear definition for “waters of the United States,” issued today by the U.S. Environmental Protection Agency (EPA) and the Department of the Army (Army) erodes protection for “millions of miles of streams” and wetlands. While this conveniently fits the narrative they are trying to push, it runs contrary to the facts. There’s even a [fact sheet](#) easily and publicly accessible online spelling this out.

In the meantime, here’s what people are actually saying about the rule:

<https://www.epa.gov/newsreleases/what-they-are-saying-epa-and-army-deliver-president-trumps-promise-issue-navigable>

As both EPA and Army have belabored in press releases and press calls: “[T]here are no data or tools that can accurately map or quantify the scope of “waters of the United States.” This is the case today, and it was the case in 2014 when the Obama Administration issued its blog titled ‘Mapping the Truth.’ Therefore, any assertions attempting to quantify changes in the scope of waters based on these data sets are far too inaccurate and speculative to be meaningful. While this Administration agrees that the current data and tools are insufficient, we are committed to supporting the development and improvement of the technology needed to map the nation’s aquatic resources.”

As discussed on a press call today, a senior EPA official stressed this point again. Here’s an example of why the maps that people seem to think show the clear status of jurisdictional waters in this country cannot be used. The National Hydrography Dataset that the U.S. Geological Survey over at the U.S. Department of the Interior uses, it’s a nice tool. It has fairly high resolution and can show surface water features. The challenge is that for most parts of the country that map does not tell the difference between ephemeral and intermittent waters, other than in very limited portions of the country. Our rule depends on the difference between intermittent and ephemeral waters, but that tool does not see the difference and does not map the difference. Similarly, the National Wetlands Inventory, which is the other major tool that people have been using, does not map wetlands that match the ‘wetlands’ definition under an

prior version of the [WOTUS] rule. And it also has what are called errors of omission and commission. In other words, it *doesn't map* wetlands that *are there*, and it *maps* wetlands that are *no longer there*. Most importantly, it doesn't map the jurisdictional waters. If you use those tools together, each one has errors, and so if you use them together to try to overlay the wetlands and the flowing waters, you effectively have what's called propagation of error. It's an inherently unreliable system, and so we do not use it.

Let's take a look at some of the offenders:

Politico: "The Trump administration Thursday signed its long-promised regulation to remove millions of miles of streams and roughly half the country's wetlands from federal protection, the largest rollback of the Clean Water Act since the modern law was passed in 1972... Half the country's wetlands could lose protection... The new rule lifts federal protections for roughly half of the country's wetlands, according to the agency's own internal estimates."

E&E News: "A final rule unveiled by the Trump administration today eliminates Clean Water Act protections for the majority of the nation's wetlands and more than 18% of streams."

Los Angeles Times: "Federal data suggest 81% of streams in the Southwest would lose long-held protections, including tributaries to major waterways that millions of people rely on for drinking water."

The Guardian: "About 60% of streams in the US are dry for part of the year but then connect to large rivers following rainfall. Wetlands not situated next to large rivers will also be excluded from protections. People living in the western US are set to be particularly affected by the new rule, with ephemeral streams making up around 89% of Nevada's stream miles and 94% of Arizona's, for example."

Background

The *Navigable Waters Protection Rule* ends decades of uncertainty over where federal jurisdiction begins and ends. For the first time, EPA and the Army are recognizing the difference between federally protected wetlands and state protected wetlands. It adheres to the statutory limits of the agencies' authority. It also ensures that America's water protections - among the best in the world - remain strong, while giving our states and tribes the certainty to manage their waters in ways that best protect their natural resources and local economies.

The revised definition identifies four clear categories of waters that are federally regulated under the Clean Water Act: the territorial seas and traditional navigable waters, like the Atlantic Ocean and the Mississippi River; perennial and intermittent tributaries, such as College Creek, which flows to the James River near Williamsburg,

Virginia; certain lakes, ponds, and impoundments, such as Children's Lake in Boiling Springs, Pennsylvania; and wetlands that are adjacent to jurisdictional waters.

These four categories protect the nation's navigable waters and the core tributary systems that flow into those waters.

This final action also details what waters are not subject to federal control, including features that only contain water in direct response to rainfall; groundwater; many ditches, including most farm and roadside ditches; prior converted cropland; farm and stock watering ponds; and waste treatment systems.

To learn more, please visit: <https://www.epa.gov/newsreleases/epa-and-army-deliver-president-trumps-promise-issue-navigable-waters-protection-rule-0>

<!--[if !mso]-->**Visit The EPA's Newsroom**<!--[endif]-->



U.S. Environmental Protection Agency
1200 Pennsylvania Avenue Northwest
Washington, D.C. 20004



[Unsubscribe](#)

Message

From: Michael Abboud [Abboud.Michael@epa.gov]
Sent: 1/24/2020 12:34:20 AM
To: Woods, Andrea [Woods.Andrea@epa.gov]
Subject: Your campaign has been sent

Your campaign has been sent

The campaign **Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection** has been sent to **2,799** recipients, with the subject of 'Correcting the Record: Media Erroneously Claims EPA and Army Jeopardize Wetlands & Stream Protection'.



[See the reports, or view this campaign](#)



[Watch the action live](#)

Login to view a detailed report on this campaign including who opened it and when, what links they clicked on, who unsubscribed, etc.